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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,443	12/09/2004	Yusuke Shimizu	05905-0179	8650
22852	7590	01/11/2008		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER WONG, JEFFREY KEITH	
			ART UNIT	PAPER NUMBER
			3714	
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			01/11/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/517,443

Applicant(s)

SHIMIZU ET AL.

Examiner

Jeffrey K. Wong

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 18,20,22-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 18,20 and 22-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 10/31/07
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 18, 20, 23-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Benoy (US Patent 6,896,618).

Regrading Claim 18.

(Currently Amended) A game system including an arcade game machine installed in a play facility with which a player plays a game after paying a play fee(Col 1, lines 20-34. Casino games require a player to pay a fee to play), and a server device connected to the arcade game machine via a network(Abstract. The loyalty program server is connected to the gaming machine), wherein the game system is arranged so that the player is allowed, from a terminal device connected to the server device via the network, to send identification information for identifying the player(Col 10,lines 65-68. Players must validate their identity by entering an identification code), the game system being configured to perform:

(a) in response to manipulation on the terminal device connected to the server via the network, registering message information including at least one message transmitted from the terminal device in association with the identification information before allowing the player to start a game on the arcade game machine(Col 4, line 65 to Col 5, line 15. Players are expected to input player tracking identification);

(b) allowing the player to play the game on the arcade game machine when the identification information transmitted from the terminal device meets the identification information stored on the server(Col 8, 1-3. Players will be able to play the game and accumulate loyalty points after validating their identification); and

(c) displaying the message on the arcade game machine when a progress of the game reaches a certain game stage or status(Col 14, lines 43-65. The message displayed would be for that of reservations when a the player achieves enough loyalty points during gameplay and pressed the button for the reservation interface).

Regrading Claim 20.

(Currently Amended) The game system according to claim 18, further configured to perform:

(b-1) calculating points acquired as a result of the player's game play(Col 8, lines 1-3),  
and

(c-1) displaying the message which is registered correspondingly to the points by the player before starting the game(Col 6, lines 51 to Col 7, lines 10. Players are displayed a message to validate their identification in order to accumulate loyalty points).

Regrading Claim 23.

(New) The game system according to claim 20, wherein said message information contains plural messages which are registered in relation with certain game points, respectively, one of which is given to the player in accordance with a result of the game

executed by the player(Col 14, lines 43-65. A plurality of messages are displayed such as time of reservation and restaurant selections).

Regrading Claim 24.

(New) A game system comprising a server and a plurality of game apparatuses(Col 4, line 21) connected via a network(Col 4, lines 23-27), wherein a player who desires to play a game on one of the plurality of game apparatuses is required to identify the player with identification information on the server via the network(Col 4, line 65 to Col 5, line 15),

said game system being configured to perform the steps of:

(a) before starting the game on said one of the plurality of game apparatuses, receiving message data, which contains at least one message related to a certain game stage or status(Col 4, lines 2-8 and Col 7, lines 5-10. An identification request is sent to a player prior to game start), transmitted from a mobile terminal device under manipulation by the player to the server(Col 5, lines 26-28), and registering the received message data in relation to the identification information(Col 4, lines 2-8);

(b) allowing the player to play the game on said one of the plurality of game apparatuses when the identification information meets the identification information registered on the server(Col 8, lines 1-3); and

(c) displaying the at least one message, which was transmitted from the mobile terminal device to the server before starting the game(Col 4, lines 2-8), on said one of the plurality of game apparatuses when a progress or a result of the game executed by the

player reaches said certain game stage or status with which the message is related(Col 14, lines 43-65. The game status could be that of the reservation interface that would occur when a player presses the restaurant reservations button).

Regrading Claim 25.

(New) The game system according to claim 24, wherein said message data contains plural messages which are registered in relation with certain game stages or statuses, respectively(Col 14, lines 43-65. A plurality of messages are displayed such as time of reservation and restaurant selections).

Regrading Claim 26.

(New) A game system comprising a server and a plurality of game apparatuses connected via a network(Col 4, lines 22-27), wherein one player who desires to play a game on one of the plurality of game apparatuses is required to identify the player with identification information on the server via a network(Col 10, lines 65-68. Players must validate their identity by entering an identification code),

said game system being configured to perform the steps of:

(a) before starting the game on the one of the plurality of game apparatuses, receiving message data, which contains at least one message related to a certain game stage or status(Col 4, lines 2-8 and Col 7, lines 5-10), transmitted from a mobile terminal device under manipulation by the player to the server, and registering the received message data in relation to the identification information(Col 4, lines 2-8);

(b) allowing the player to play the game on said one of the plurality of game apparatuses when the identification information meets the identification information registered on the server(Col 8, lines 1-3); and

(c) displaying the at least one message, which was transmitted from the mobile terminal device to the server before starting the game(Col 4, lines 2-8), on said one the plurality of game apparatuses which said player operates and another game apparatus which is operated by another player who plays the game against said player when a progress or a result of the game executed by the player reaches said certain game stage or status with which the message is related(Col 14, lines 43-65. The game status could be that of the reservation interface that would occur when a player presses the restaurant reservations button).

### ***Response to Arguments***

2. Applicant's arguments filed 10/31/2007 have been fully considered but they are not persuasive. Applicant alleges that .

Benoy fails to disclose "displaying [a] message on the arcade game machine when a progress of the game reaches a certain game stage or status," and that, in Benoy, the optional display of the message is conditioned upon insertion of a player tracking card into a card reader, and the message is for the defined purpose of identity verification prior to play. The Examiner disagrees. Benoy discloses of a reservation interface that may be displayed that allows players to make reservations at restaurants when an info button is pressed(Col 14, lines 43-65). What this means is that players will be displayed messages such as time in which to place the restaurant reservation as well as which

restaurant in which to place said reservations during game play when a player presses the info button. To further elaborate, the message being displayed at a certain game status would be the restaurant interface being displayed during the restaurant interface portion of the gaming machine.

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hedges et al., Remote gaming system,

Beach et al., US patent 6,116,402, Voucher coding for self-service coin discriminator

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey K. Wong whose telephone number is (571)270-3003. The examiner can normally be reached on M-Th 8:30am-7:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hotaling can be reached on (571)272-4437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JKW



**JOHN M. HOTALING, II  
PRIMARY EXAMINER**